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The defendant stipulates to detention, reserving the right to re-visit the matter of detention should the Bureau of Immigration and Customs Enforcement (BICE) detainer be lifted.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of nonappearance due to the following: He is a citizen and national of Brazil who is reportedly in the United States illegally; his ties to the Western District of Washington are unknown/unverified; and BICE has filed a detainer.
- (2) The defendant represents a risk of danger due the nature of the charges and his unknown background.
- (3) The defendant does not contest detention.

Thus, there is no condition or combination of conditions that would reasonably assure future court appearances.

## It is therefore ORDERED:

- (l) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 26th day of September, 2006.

Monica J. Benton U.S. Magistrate Judge

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